



GARY R. HERBERT  
Governor

GREG BELL  
Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

Representatives Present During the Inspection:

OGM Pete Hess

## Inspection Report

Permit Number:	C0070045
Inspection Type:	COMPLETE
Inspection Date:	Monday, April 11, 2011
Start Date/Time:	4/11/2011 9:12:00 AM
End Date/Time:	4/11/2011 11:20:00 AM
Last Inspection:	Monday, March 14, 2011

Inspector: Pete Hess

Weather: Clear, 40's F. Mild breezes.

InspectionID Report Number: 2707

Accepted by: jhefric

4/12/2011

Permitee: **HEADWATERS ENERGY SERVICES**

Operator: **HEADWATERS ENERGY SERVICES**

Site: **COVOL SITE**

Address: **10653 SOUTH RIVER FRONT PARKWAY, SUITE 300, SOUTH JORDAN UT 840**

County: **CARBON**

Permit Type: **PERMANENT COAL PROGRAM**

Permit Status: **ACTIVE**

#### Current Acreages

30.00	<b>Total Permitted</b>
30.00	<b>Total Disturbed</b>
	<b>Phase I</b>
	<b>Phase II</b>
	<b>Phase III</b>

#### Mineral Ownership

- ☐ Federal  
☐ State  
☐ County  
☐ Fee  
☐ Other

#### Types of Operations

- ☐ Underground  
☐ Surface  
☐ Loadout  
☐ Processing  
☐ Reprocessing

Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:

Inspector's Signature:

*Pete Hess*

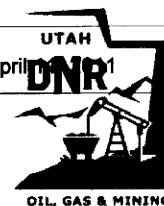
Pete Hess,

Inspector ID Number: 46

Date

Monday, April 11, 2011

Note: This inspection report was created by the Division of Oil, Gas and Mining. It is a public document and its contents are subject to review and comment by the public. For more information, please contact the Division of Oil, Gas and Mining at (801) 538-5340 • facsimile (801) 359-3940 • TTY (801) 538-7458 • [www.ogm.utah.gov](http://www.ogm.utah.gov)



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## Inspection Continuation Sheet

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### REVIEW OF PERMIT, PERFORMANCE STANDARDS PERMIT CONDITION REQUIREMENTS

1. Substantiate the elements on this inspection by checking the appropriate performance standard.
  - a. For COMPLETE inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check Not Applicable.
  - b. For PARTIAL inspections check only the elements evaluated.
2. Document any noncompliance situation by reference the NOV issued at the appropriate performance standard listed below.
3. Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
4. Provide a brief status report for all pending enforcement actions, permit conditions, Division Orders, and amendments.

	Evaluated	Not Applicable	Comment	Enforcement
1. Permits, Change, Transfer, Renewal, Sale	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Signs and Markers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Topsoil	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.a Hydrologic Balance: Diversions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.b Hydrologic Balance: Sediment Ponds and Impoundments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.c Hydrologic Balance: Other Sediment Control Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.d Hydrologic Balance: Water Monitoring	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.e Hydrologic Balance: Effluent Limitations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Explosives	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Disposal of Excess Spoil, Fills, Benches	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Coal Mine Waste, Refuse Piles, Impoundments	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. Noncoal Waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Protection of Fish, Wildlife and Related Environmental Issues	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Slides and Other Damage	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Contemporaneous Reclamation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Backfilling And Grading	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Revegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Subsidence Control	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Cessation of Operations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.a Roads: Construction, Maintenance, Surfacing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.b Roads: Drainage Controls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Other Transportation Facilities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18. Support Facilities, Utility Installations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. AVS Check	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. Air Quality Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
21. Bonding and Insurance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22. Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### **3. Topsoil**

Sprouting in areas on the SW topsoil pile where water could be retained was evident. To date, air temperatures in the area have generally been cold. This pile was seeded in November 2010. The silt fence containments appeared capable of functioning as designed. Storage signs are in place as required.

### **4.b Hydrologic Balance: Sediment Ponds and Impoundments**

Rich White, Utah registered P.E., performed the 4th Quarter and Annual impoundment inspections and certifications on ember 14, 2010. A copy of the certified inspections is included in the 2010 Annual Report. No signs of instability or hazards were reported in the 2010 re-certification. Both ponds were noted as having minor rills on the inslope surfaces; these were determined as insignificant. Both ponds were noted as having 55% of the design capacity for sediment storage remaining. The P.E. certification stamps placed by Mr. White meet the requirements of the Utah Department of Professional Licensing. Mr. Kyle Edwards completed the first quarter of 2011 impoundment inspections for the East and West ponds on March 10, 2011. No hazards or compliance issues were identified. No issues were identified during today's instantaneous inspection.

### **4.d Hydrologic Balance: Water Monitoring**

Per the approved mining and reclamation plan, water monitoring of ground and surface water is not required during the operational phase of the facility. As observed this day, only the West pond contained a small amount of water. There was no flow observed in any of the sites surface diversions.

### **5. Explosives**

There are no explosive or detonator storage magazines at this site.

### **9. Protection of Fish, Wildlife and Related Environmental Issues**

No wildlife was observed during today's inspection. Two surveys for burrowing owls were made during 2010; the results of those surveys have been compiled by Dr. Patrick Collins, and same are included in the 2010 Annual Report for this facility. A visual examination of the outside area adjacent to the perimeter (chain link fence) was made. No off-site impacts were identified.

### **16.b Roads: Drainage Controls**

All ditches and culverts appeared capable of functioning as designed.

### **17. Other Transportation Facilities**

No coal trucks were observed entering or leaving the site this day. The Permittee is anticipatory of the longwall at the West Ridge Mine starting up after moving to a new face this week. Stockpile volumes are greatly reduced.

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**20. Air Quality Permit**

The Permittee monitors water applications to control fugitive dust on haul roads, as is required by the Utah air quality approval order. In March of 2011, 57 applications of 3,500 gallons each were made (199,500 gallons). 0.54 inches of rain fell during that time period.